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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 GABRIEL ECKARD,

7 Plaintiff,

Case No. C19-0834-RSL

8 v.

9 KELLY ROY,

10 Defendant.

ORDER DISMISSING CIVIL RIGHTS
ACTION

11 The Court, having reviewed plaintiff's complaint, the Report and Recommendation of the
12 Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the
13 remaining record, hereby finds and ORDERS as follows:

14 (1) The Report and Recommendation is approved and adopted;

15 (2) Plaintiff's complaint (Dkt. 5) and this action are DISMISSED without prejudice
16 under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted.

17 The Clerk shall count this dismissal as a strike under 28 U.S.C. § 1915(g); and

18 (3) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable
19 Mary Alice Theiler.

20 DATED this 11th day of October, 2019.

21 

22 Robert S. Lasnik

23 United States District Judge